

U.S. Patent and Trademark Office No: 09/073,877

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ford, Louis, et al.

Art Unit: 3732

Appl. No.: 09/073,877

Examiner: Hirsch, P.

Filed: May 7, 1998

Atty. Docket: LN.010

For: **Textured Bone Allograft, Method of Making and Using Same**

PETITION TO SEND OFFICE ACTION AND RESTART DATE

The Assistant Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

On or about June 7, 2001, an Office Action was issued in the above-identified application and incorrectly mailed to an attorney/law firm not of record. The undersigned, the attorney of record, did not receive the Office Action. It is respectfully requested that the Office Action be correctly sent to the undersigned attorney of record and that the date for response thereto be restarted. Please consider the following remarks.

REMARKS

On August 8, 2001, the undersigned telephoned Examiner Hirsch to inquire whether an Office Action had been issued in the above-identified application. Examiner Hirsch stated that an Office Action was mailed on June 7, 2001. The undersigned then stated that the Office Action had not been received and requested that Examiner Hirsch fax a copy to the undersigned. Examiner Hirsch stated that a Petition stating the relevant facts would have to be filed by the undersigned, and that the date for response may or may not be restarted depending on what party was at fault. Examiner Hirsch asked whether a change of address should have been or was filed.

The undersigned replied that there was no need for a change of address because there was no change of address. The undersigned asked Examiner Hirsch to whom the Office Action had been sent. Examiner Hirsch said that the Office Action was sent to Hunton & Williams. The undersigned asked why anything would have been sent to Hunton & Williams since there was no revocation of power of attorney and no new power filed in the case, i.e. Hunton & Williams is not and never has been the attorney of record in the above-identified case. It is noted that such a serious mistake could potentially cause substantial harm to LIFENET. Examiner Hirsch was unable to answer why the Office Action was sent to Hunton & Williams.

The undersigned again requested that Examiner Hirsch correctly mail the Office Action to the undersigned and restart the time for response thereto. Examiner Hirsch would not forward a copy of the Office Action to the undersigned and required the filing of the instant Petition.

In view of the above, it is respectfully requested that the Office Action incorrectly mailed to Hunton & Williams on June 7, 2001, be correctly mailed to the undersigned attorney of record, that the time for response thereto be restarted from the date of mailing to the correct address, and that the Patent Office file correctly reflect the attorney of record and mailing address.

Respectfully submitted,
LIFENET



Susanne M. Hopkins
Attorney for Applicant
Registration no: 33,247

Date: August 9, 2001
LIFENET
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8-13.01

GP 3732

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Docket No.

LN.010

Applicant(s): Louis Ford, et al.

Serial No.

094073,877

Filing Date

May 7, 1998

Examiner

P. Hirsch

Group Art Unit

3732

Inventor(s): TEXTURED BONE ALLOGRAFT, METHOD OF MAKING AND USING SAME

#28

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I hereby certify that the following correspondence:

Transmittal, one (1) page

AUG 15 2001

TECHNOLOGY CENTER R3700

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

August 9, 2001

(Date)

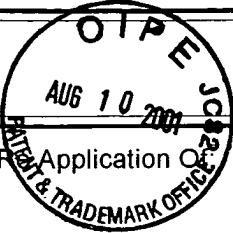
Susanne M. Hopkins

*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*

ET193175954US

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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
LN.010

In Patent Application of Louis Ford, et al.

Serial No.
09/073,877

Filing Date
May 7, 1998

Examiner
P. Hirsch

Group Art Unit
3732

Title: **TEXTURED BONE ALLOGRAFT, METHOD OF MAKING AND USING SAME**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

A Petition to Send Office Action and Restart Date, two (2) pages.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.


Signature

Dated: **August 9, 2001**

Susanne M. Hopkins, Esq.
Reg. No: 33,247
LifeNet
7101 Bloomsbury Lane
Spotsylvania, VA 22553
Phone: 540-834-0000
Fax: 540-710-9377

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Louis Ford, et al.

Docket No.

LN.010

Serial No.

99/073,877

Filing Date

May 7, 1998

Examiner

P. Hirsch

Group Art Unit

3732

Invention:

AUG 10 2001

TEXTURED BONE ALLOGRAFT, METHOD OF MAKING AND USING SAME

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Petition, two (2) pages

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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

August 9, 2001

(Date)

Susanne M. Hopkins

(Typed or Printed Name of Person Mailing Correspondence)
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